

REMARKS

In summary, claims 1-69 are pending. Claims 1-24, 49-58, and 65-69 previously have been withdrawn. In the instant Office Action, claims 25-31, 32-48, and 59-64 are rejected, and claim 35 is objected to. In the instant Office Action, claims 25-31, 34, 36-46, 59-62, and 64 are rejected under 35 U.S.C. § 102, claims 32, 34, 47, 63, and 64 are rejected under 35 U.S.C. § 103, and claim 35 contains allowable subject matter. Applicant respectfully traverses the rejection of claims 25-31, 32-48, and 59-64. No claims are amended. No new matter is added.

Office Action Summary Page

The instant Office Action Summary page, block 4 under the heading "Disposition of Claims" indicates that claims 1-66 are pending. Applicant requests that this be corrected to indicate that claims 1-69 are pending.

Information Disclosure Statements

Upon receipt of the instant Office Action, it was noticed that Information Disclosure Statements (IDSs) previously submitted on April 20, 2005, June 28, 2005, and August 26, 2005 were not indicated as having been reviewed by the Examiner. Examiner Vo was contacted to inquire about the status of the IDSs. Examiner Vo requested resubmission of copies of the previously submitted IDSs along with copies of the return postcards indicating receipt thereof. Accordingly, copies of the IDSs submitted on April 20, 2005, June 28, 2005, and August 26, 2005, respective return receipt postcards, and non-U.S. Patent references are submitted herewith.

Previous Office Action And Response Thereto

Many of the claims under rejection in the instant Office Action were rejected in a previous Office Action dated December 13, 2005. A response thereto, dated March 10, 2006, traversed the rejections. The traversals are not addressed in the instant Office Action. Specifically, the traversal of claims rejected in the 12/13/05 Office Action under 35 U.S.C. §

102 as being anticipated by U.S. Patent No. 5,154,504, issued to Helal *et al.* (hereinafter referred to as “Helal *et al.*”) have not been addressed. The traversal of claims rejected in the 12/13/05 Office Action under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,771,029, issued to Ribarich *et al.* (hereinafter referred to as “Ribarich *et al.*”) have not been addressed. Further, there are inconsistencies between the instant Office Action and the 12/13/05 Office Action. In the 12/13/05 Office Action, claims 41-44 were deemed to contain allowable subject matter. In the instant Office Action, without an explanation, claims 41-44 are rejected and claim 35 is deemed to contain allowable subject matter.

Without some indication as to the merit of the previous traversals, Applicant is neglected the opportunity to further respond to the claim rejections in the instant non-final Office Action. Thus, if Examiner wishes to maintain the claim rejections, Applicant requests that the traversal of the rejected claims be addressed in a non-final Office Action.

Claim Rejections - 35 U.S.C. § 102 - Stam *et al.*

Claims 25-31, 34, 36-45, 59-62, and 64 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,498,440, issued to Stam *et al.* (hereinafter referred to as “Stam *et al.*”).

Stam *et al.* neither discloses nor suggests many elements of Applicant’s claimed invention. For example, Stam *et al.* neither discloses nor suggests a “ballast,” a “gas discharge lamp,” or an “inverter,” as recited in independent claims 25, 26, 34, 37, 38, 45, 59, 60, and 62.

It is asserted, in the instant Office Action, that Stam *et al.* “discloses an electronic ballast for driving a gas discharge lamp (Fig. 4), comprising an inverter (Q1-Q6) for producing a high frequency drive voltage for driving a lamp current in said gas discharge lamp ...”

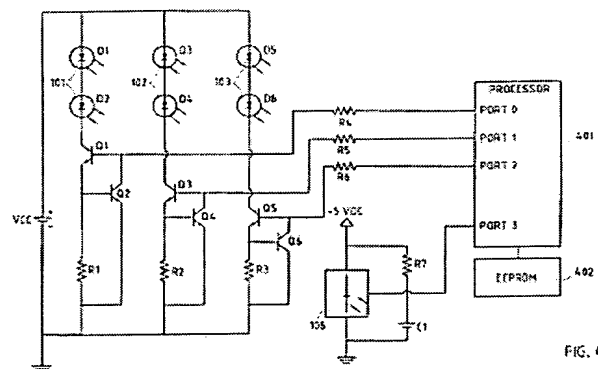
Stam *et al.* teaches the use of optical feedback to adjust the hue of an assembly of light emitting diodes (LEDs). Stam *et al.* discloses “a lamp (e.g. LED) assembly that utilizes a detector (to provide optical feedback), preferably located within the LED assembly, to

determine how to adjust drive currents provided to a plurality of LEDs that are grouped according to color.” (Column 3, lines 22-26).

Other than the reference to Figure 4 (a copy of which is reproduced herein), no portion of Stam *et al.* is referenced to support the assertion that Stam *et al.* discloses an electronic ballast for driving a gas discharge lamp comprising an inverter for producing a high frequency drive voltage for driving a lamp current in said gas discharge lamp.

Thus, it is not clear which portion of Figure 4 is asserted to be a ballast and which portion of Figure 4 is asserted to be a gas discharge lamp. Regardless, Stam *et al.* nowhere

discloses, teaches, or suggests a ballast, a gas discharge lamp, or an inverter, as claimed. In fact, the terms “ballast” and “inverter” are nowhere to be found in Stam *et al.* At column 2, lines 34-35, Stam *et al.* discloses “the illuminator assembly includes a processor, a memory, a plurality of light sources and a detector.” There is no mention of a ballast or gas discharge lamp. This is not surprising however, because Stam *et al.* is directed to an assembly of LEDs that does not utilize a ballast.



Stam *et al.* teaches away from its lamp assembly comprising a gas discharge lamp. At column 7, lines 62-66, Stam *et al.* distinguishes its lamp assembly from gas discharge lamps by describing factors to consider if the lamp assembly should be used in an environment containing discharge lamps. “If the lamp 100 is likely to be used in conditions where the ambient lighting is produced with fluorescent lamps or discharge lamps, it is desirable to take into account the 120 Hz oscillation which occurs in these lamps as a result of being powered from a 60 Hz AC line source.” Thus, the lamp assembly taught in Stam *et al.* cannot comprise a gas discharge lamp; otherwise the 120 Hz oscillations would not be a concern.

As mentioned above, Stam *et al.* nowhere uses the term “inverter.” It is asserted in the instant Office Action that Q1-Q6 of Figure 4 comprise an inverter for producing a high frequency drive voltage. However, Stam *et al.* teaches otherwise. According to Stam *et al.*,

Q1-Q6 are switching transistors. “The LEDs in each set are driven independently by ports 0, 1 and 2 of processor 401 through transistors Q1 through Q6.” (Column 6, lines 21-23). Nowhere does Stam *et al.* suggest that Q1 through Q6 comprise an inverter for producing a high frequency drive voltage.

Because Stam *et al.* neither discloses nor suggests a “ballast,” a “gas discharge lamp,” or an “inverter,” it is requested that the rejection, under 35 U.S.C. § 102, of claims 25-31, 34, 36-45, 59-62, and 64 be reconsidered and withdrawn.

Claim Rejections - 35 U.S.C. § 102 - Helal et al.

Claims 25-30, 37-40, 45, 46, 60, and 62 are rejected under 35 U.S.C. § 102(b) as being anticipated by Helal *et al.*

Helal *et al.* neither discloses nor suggests a ballast comprising a processor, as required in Applicant’s claimed invention. In contrast, Helal *et al.* teaches a microcomputer that is external and separate from a lamp. (Figure 2). Other than the reference to Figure 2, no portion of Helal *et al.* is referenced to support the assertion that Helal *et al.* discloses an electronic ballast for driving a gas discharge lamp. Thus, it is not clear which portion of Figure 2 is asserted to be a ballast. Regardless, Helal *et al.* nowhere mentions a ballast.

On page 5 of the instant Office Action, Examiner refers to Figure 4 of Helal *et al.* as “marked by examiner.” Applicant has received no marked up version of Figure 4, and thus cannot address Examiner’s assertions pertaining to Figure 4 of Helal *et al.*

Because Helal *et al.* neither discloses nor suggests a ballast comprising a processor, it is requested that the rejection of claims 25-30, 37-40, 45, 46, 60, and 62 under 35 U.S.C. § 102 in view of Helal *et al.* be reconsidered and withdrawn.

Claim Rejections - 35 U.S.C. § 102 - Ribarich et al.

Claims 37-46 and 59-61 are rejected under 35 U.S.C. § 102(e) as being anticipated by Ribarich *et al.*

Ribarich *et al.* neither discloses nor suggests “said microprocessor directly controlling said inverter,” as recited in independent claims 37, 38, 59, and 60. As shown in Figure 1 of Ribarich *et al.*, as marked up by the Examiner (reproduced herein), the microprocessor does not directly control an inverter (see lighting control 24). Accordingly, it is requested that the rejection of claims 37-46 and 59-61 under 35 U.S.C. § 102 in view of Ribarich *et al.* be reconsidered and withdrawn.

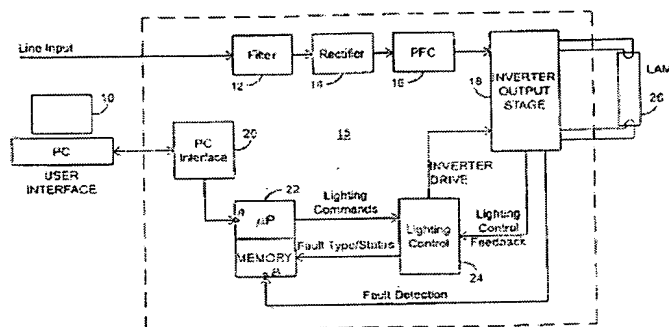


FIG. 1

Claim Rejections - 35 U.S.C. § 103

Claims 32 and 34 are rejected under 35 U.S.C. § 103(a) “as being unpatentable over Stam *et al.* The arguments and remarks provided above with respect to rejections based on Stam *et al.*, under 35 U.S.C. § 102 also apply to the rejections of 32 and 34 rejected under 35 U.S.C. § 103. Accordingly, Applicant respectfully requests the rejection of claim 32 and 34 under 35 U.S.C. § 103 be reconsidered and withdrawn.

Allowable Subject Matter

Applicant acknowledges that claim 35 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.


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Application No.: 10/824,248
Office Action Dated: September 21, 2006

PATENT

CONCLUSION

In view of the foregoing arguments, remarks, and amendments, it is submitted that this application is in condition for allowance. Reconsideration of this application and an early Notice of Allowance are requested. In the event that the Examiner cannot allow this application for any reason, the Examiner is encouraged to contact the undersigned attorney to discuss resolution of any remaining issues.

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